

# Charleston Daily News.

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## THE CHARLESTON DAILY NEWS, CATHCART, McMILLAN & MORTON, PROPRIETORS, No. 18 HAYNE-STREET.

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## BY TELEGRAPH.

**Adjournment of the Convention.**  
COLUMBIA, September 27.—The State Convention adjourned to-night. Previous to adjourning, the Convention resolved itself into a Committee of the Whole, when Mr. LESSEE offered resolutions complimentary to the President of the Convention, Hon. D. L. WARDLAW, which were seconded, in an eloquent speech, by the Hon. ALFRED HUGER.

## COLUMBIA CORRESPONDENCE.

[FROM OUR OWN CORRESPONDENT.]

COLUMBIA, September 25.  
In my letter of Saturday night, I think that I gave you an account of the changes that have been made in the first, second and third Articles of the Constitution. To-day the "Amendments" proposed by the Committee on Amendments, not included in the Legislative, Judicial or Executive departments of the Constitution, and general articles therein not specifically reported upon, came up for consideration. These articles embraced under this head are Articles 4, 5, 6, 7, 8, 9, 10, 11 of the Constitution. Article four was passed without debate—it relates only to the oath of a person elected or appointed to any office. The fifth article, relating to impeachment and removal from office, was also passed. The sixth article, containing the form of electing the Treasurer and Surveyor-General, the appointment of other officers, and the form of commission, was agreed to, with some important verbal amendments.

The debate began on Article VII, which was finally passed in the following words: "All laws in force in this State at the adoption of this Constitution, and not inconsistent hereto, shall so continue until altered or repealed by the General Assembly, except where they are temporary; in which case they shall expire at the times respectively limited for their duration, if not continued by act of the General Assembly."

The Bill of Rights, contained in Article VIII, was then taken up. The words, "by due process of law," in the second section, having caused considerable debate, some members wishing to substitute "law of the land," Chancellor ISOLIS moved that the Convention should resolve itself into a Committee of the Whole, so that the President could be heard on the subject. This was done, and Mr. SULLIVAN having taken the Chair, Judge WARDLAW said that these words, "no person shall be taken or imprisoned," &c., were taken from Magna Charta. Soon after the adoption of the Constitution of 1790, the question of the meaning of the words "law of the land," came before the Court in the case of Zylstra. By reference to the English authorities and decisions, it was found that the words "law of the land," meant law in existence at the adoption of Magna Charta, and Judge WARDLAW so held. This was found inconvenient, and soon after the Court held that the words meant, laws in force at the time that the Constitution was adopted. The charter of Charleston was given in 1786, and by it the corporation was allowed to arrest and do other acts not allowed by Magna Charta. The other towns were given charters of the same kind, and the Court held that the Charter of Charleston having been given before 1790, other corporations would have the same privilege. The same course was adopted with regard to Commissioners of Cuts and the Commissioners of Roads. The Commissioners of Cuts were appointed before 1790, and were empowered to levy fines. The same power was given to the Commissioners of Roads. This clause was drawn up from the United States Constitution, which was drawn with great care, and was really what was meant by Magna Charta. The object of using the words, is that the Legislature shall not be embarrassed.

With regard to the clause relating to trial by jury, he said, when you say that trial by jury must be preserved, do you mean that negroes must be tried by a jury before the District Courts, or do you mean to give them the power of pronouncing equally? Before the Constitution went into force, the magistrates could try cases for \$5. Judge SUTIN, of this State, attempted to give back to magistrates the trial of cases not over \$5, and not \$20, as provided by the Constitution of the United States—he took the ground that the limitation applied to the United States, and not to the State Courts. This is the true doctrine, and if you wish to preserve the power in the Legislature, you must be careful of the words that you use. If you mean to keep the words trial by jury, then the District Courts will not be able to try any case without a jury, involving more than twenty-two dollars.

The Committee of the Whole then rose, and the rest of the article was passed, with an amendment providing that the writ of habeas corpus shall not be suspended, except in cases of invasion or insurrection; and, also, with an amendment providing that the General Assembly shall have the power to fix the number of jurors to constitute a jury in the District Courts.

By the 9th article the Treasurer is bound to have his office, conduct his business, and reside at the seat of government; so, too, is the Secretary of State. The effect of the last change will be to remove the office from Charleston, and will cause great inconvenience in the whole of the low country.

A penny-wise policy dictated the introduction of an article prohibiting the Legislature from appropriating money for internal improvements, except by a vote of two-thirds of both houses, which was fortunately defeated.

Mr. DUDLEY defended this clause on the ground that wasteful and unprofitable expenditures had been incurred by the State for railroads and canals.

Mr. ORR replied in an able speech, showing that the money spent by the State had been really productive of benefit to the entire State; that if this clause were passed, South Carolina would never again contribute a cent to public improvements; and said that if the State had made all of the advancement possible for her to make, the clause would be good, but otherwise it should not be allowed a place in the Constitution.

The Convention refused to give the Governor a veto power—I do not think wisely, for it is as a rule likely to prove a wise restraint on the passion of deliberative assemblies, and is always apt to be a check on hasty legislation.

One of the follies of the Convention has been to fix the rate of a capitation tax as compared with the tax on one hundred dollars' worth of land. A capitation tax is at all times difficult to collect, and it seems to me far from statesmanlike to fix in the organic law a rule prescribing to the Legislature that they must always tax the poll one-fourth as much as they tax a given quantity of land. The land-owners call this a check upon the numerical majority; a scuffer might call it a most unstatesmanlike performance.

A letter to Col. Orr is being signed by a great many of the members of the Convention, requesting Col. Orr to become a candidate for Governor. Though I do not think that he required any asking, as he had already set his heart on obtaining the Governor's chair, still, as I said in my letter of last night, he is ambitious and energetic, and the interests of the State, as he understands them, will not suffer in his hands. Besides, he is, to say the least, the god-father of the present Constitution, and it is but fair that he should have the first opportunity to test the experiment, and get all the blame or praise as he fails or as he succeeds.

As the law of the State now stands, any emigrant who has resided in this State two years after declaring his intention to become a citizen, and six months in the election district, is entitled to a vote.

## THE STATE CONVENTION.

SEPTEMBER 25.—The Convention assembled at ten o'clock, the President took the Chair, and the deliberations were opened with prayer. Mr. Thomas Thomson introduced the following resolution; which was agreed to:

Resolved, That a commission, consisting of two persons, be appointed by his Excellency, the Provisional Governor, to prepare and report to the next Legislature what laws will be necessary and proper in consequence of the alteration made in the fundamental law, and especially to prepare and submit a code for the regulation of labor and the protection and government of the colored population of the State, and that the Legislature fix the compensation of said Commissioners.

A resolution from the Committee on Amendments to the Constitution was amended so as to read as follows:

"Hereafter, there shall be a capitation tax laid by the General Assembly, which, upon each poll, shall never be less than one-fourth of the tax laid on one hundred dollars' worth of land, it being left to the General Assembly to determine what inhabitants of the State shall be exempted from the operation of the law," was then agreed to, and was referred to the Revision Committee.

Messrs. Simonton, Elfrison and Dudley presented reports from committees on the Constitution. Mr. F. W. Pickens introduced the following clause for the Constitution, which was referred to the Committee on Amendments to the Constitution: "For debts hereafter contracted no real estate shall be subject to levy or execution; but this shall not be construed so as to prevent any legal process against the rents and profits of the same."

Mr. Inglis, from the Committee on the Legislative Department, made a report on the articles prescribing the qualification of voters; which was agreed to, and referred to the Revision Committee.

The Convention resolved itself into a Committee of the Whole, Mr. Sullivan in the Chair, to consider the report of the Committee on Amendments to the Constitution, and after a free discussion of the subject, the President resumed the Chair.

From Brazil.  
THE WAR—RIGOROUS CONSCRIPTION—THE COFFEE AND COTTON CROPS—REBEL EMIGRANTS FROM THE UNITED STATES.

NEW YORK, September 19.—The Herald's Rio Janeiro correspondent furnishes additional interesting intelligence regarding the South American war.

We have already given the visit of the Emperor to the scene of hostilities in the Province of the Rio Grande. Thence he started to the frontier to have a conference with the two allies, the Presidents of the Argentine Confederation and of Uruguay.

A large steam ram, for the Brazilian navy, had arrived from France. Others had been nearly completed at Rio Janeiro, and it was said that an American gentleman, who had just left there for the United States, carried with him a commission for the construction of iron-clads for the Emperor, in this country. Volunteering for the Brazilian army was very active and spirited in the provinces on the first call for troops, but in Rio Janeiro it had become necessary to commence conscription, which was being carried on with great vigor and little ceremony.

Officers, attended by guards, stationed themselves at the most frequented places in the principal thoroughfares, and seized and sent to the army could not show clear cases of exemption. The civil officers of the Government who did not volunteer, would be drafted and be forever incapable of holding similar civil positions.

The prospect of the coffee crop in Brazil were most cheering, but the experiments so far made in cotton culture had not afforded much encouragement.

A party of emigrants from Missouri, who were so wedded to the institution of slavery that after its destruction they could not remain in their own country, had arrived in Brazil and gone to the Province of Panama to settle.

Our Bombay correspondents, Messrs. Farnham & Co., and the Bombay Price Current, both quote a telegram from England, which stated that the "Secretary of the U. S. Treasury has announced the estimated stock of cotton in the Southern States to be two millions bales, exclusive of the new crop." The canon had the effect to suspend all business there in cotton, and almost to create a panic in the market.—N. Y. Jour. of Com., Sept. 20.

SHIPWRECKS AND LOSS OF LIFE ON CAPE COD.—The recent northeasterly gale was severe on this coast, causing the destruction of several vessels and the loss of ten lives, besides inflicting some damage to ships, and rigging of several craft, which succeeded in safely reaching port.

## THE BOOKS FOR SUBSCRIPTION

TO  
"The People's Steamship Company"  
ARE NOW OPEN AT THE OFFICE OF THE AGENTS.  
Shares, \$100 each. WILLIS & CHISOLM,  
September 25 1mo Mills House.

Dr. MIDDLETON MICHEL  
RESUMES THE PRACTICE OF MEDICINE AND SURGERY. Office, at present, corner of MEETING and SOCIETY-STREETS—residence of Dr. RODRIGUES.  
September 26 1mo

W. H. EASTERBY,  
Commission & Forwarding  
MERCHANT,  
East Bay, Charleston, S. C.  
WILL ATTEND TO THE PURCHASE, SALE AND SHIPMENT OF Cotton, Rice, Naval Stores and other Produce. Parties consigning Goods to my care to be forwarded must place me in funds to pay expenses. Ship and Railroad Freight must be paid before Goods are forwarded.  
References: C. M. Furman, G. W. Williams & Co., E. B. Stoddard & Co., Chamberlain, Isaacs & Co., Johnston, Crova & Co., Hastic, Calhoun & Co.  
September 26 1mo

CHARLES E. KANAPAU,  
ATTORNEY AT LAW  
AND  
MAGISTRATE.  
HAS RESUMED BUSINESS AT HIS OLD STAND,  
CHALMERS-STREET.  
September 27 1mo

L. W. SPRATT,  
ATTORNEY AT LAW  
OFFICE OVER M'RAY & CAMPBELL, HASEL-STREET,  
NEXT DOOR TO POST-OFFICE.  
He will act as Agent in procuring PARDONS and adjusting CLAIMS on Treasury Department.  
August 16

CHARLESTON HOUSE.  
H. C. STOLL,  
FORMERLY WITH W. G. BANCROFT & CO.  
FANCY AND STAPLE DRY GOODS,  
AT THE OLD STAND,  
No. 287 King-street,  
THIRD DOOR BELOW WENTWORTH,  
CHARLESTON, S. C.  
Terms cash.  
Country orders promptly attended to.  
September 18 1mo

"LIVE OAK CLUB HOUSE,"  
No. 32 GEORGE-STREET  
Free Lunch at 11 A. M. and 9 P. M.,  
Every Day.  
Dinners and Suppers to Order,  
IN THE LIVE OAK STYLE.  
ALSO,  
Lodging for Gentlemen.  
September 13 1mo

58.....RESTAURANT.....58  
L. F. GOODWIN  
KEEPS CONSTANTLY ON HAND  
Choice Ales, Wines, Liquors and Segars,  
At No. 58 Wentworth-street,  
CHARLESTON, S. C.  
FREE LUNCH every day from 11 to 1 o'clock.—6c  
September 22 1mo

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HARN & SHERHAMMER,  
WHOLESALE AND RETAIL DEALERS IN,  
AND IMPORTERS OF  
Foreign and Domestic  
ALES, WINES, LIQUORS, SEGARS, &c.,  
SOUTHEAST CORNER BROAD & CHURCH-STS.,  
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JUST TAKE A LOOK AT US!  
THE ALBION.  
Ales, Wines, Liquors and Segars.  
No. 25 BROAD-STREET,  
CHARLESTON, S. C.  
Free Lunch, from 11 to 1 o'clock, every day.  
PROPRIETORS—WILLIAM H. DOUGLAS and WALTER PETERS.  
1mo August 31

FREE COLLATION  
SERVED EVERY EVENING AT  
MERCHANTS' EXCHANGE BAR,  
Corner King and Society-Streets.  
August 29

GIVE US A CALL!  
MOTTS' SAMPLE ROOMS.  
Ales, Wines, Liquors, Cigars, &c.  
No. 8 BROAD-STREET, CHARLESTON, S. C.  
FREE LUNCH from 11 till 1 o'clock every day.—6c  
PROPRIETORS:  
JOHN MOTT.....W. V. MOTT.  
August 30 1mo

MERCHANTS' HOTEL,  
CORNER KING AND SOCIETY-STS.  
THE ABOVE HOTEL HAS BEEN COMPLETELY renovated and refurnished, and is now open for the patronage of the public, under an entirely new management.  
A BAR, fitted up with the latest and most modern improvements, is attached to the House, where may always be found LIQUORS of the most superior quality in the city.  
LIQUOR can be obtained at the table, and will also be furnished in the rooms at all hours and all days of the week, if desired.  
Mr. H. H. PARSONS, formerly connected with the Pavilion Hotel, is attached to the Hotel, and would be glad to meet any of his old friends.  
LORING & BENNETT, Proprietors.  
August 29 1mo

NOTICE IS HEREBY GIVEN THAT APPLICATION will be made at the next Session of the Legislature for an AMENDMENT OF THE CHARTER OF THE CHARLESTON GAS LIGHT COMPANY.  
August 21

LUMSDEN & M'GEE,  
AUCTION & COMMISSION MERCHANTS,  
AND FORWARDING AGENTS,  
COLUMBIA, S. C.  
HAVING BUILT A LARGE STOREHOUSE IN THE central part of the city, convenient to the different Railroads and Hotels, are prepared to receive Cotton and other Produce and Merchandise generally TO BE SOLD EITHER AT AUCTION OR PRIVATE SALE.  
We will also give strict attention to the STOWING OR FORWARDING of all goods directed to our care.  
J. L. LUMSDEN,.....JOHN W. M'GEE,  
Columbia, S. C. Late of Richmond, Va.  
References: H. T. Poole, Esq., Charleston, S. C.; Rufus M. Johnson, Esq., Columbia, S. C.; Hon. T. C. Perrin, Abbeville, S. C.; Moses H. Grinnell, Esq., New York; Messrs. J. & F. Dawson, Charleston, S. C.; G. W. Williams & Co., Charleston, S. C.; Gov. B. F. Perry, this 1mo\*  
September 25

ADAMS, FROST & CO.,  
No. 46 EAST BAY.  
September 27 1mo

WILBUR & SON,  
GENERAL AUCTIONEERS & COMMISSION MERCHANTS,  
OFFICE AND SALES ROOMS,  
Nos. 13 and 15 State-street and Nos. 1 and 3 Chalmers-street,  
CHARLESTON, S. C.  
ALL DESCRIPTIONS OF PRODUCE OR MERCHANDISE consigned to us, either for Public or Private Sale, respectfully solicited. Real Estate, in City or Country, purchased and sold strictly on commission.  
September 27

COURTENAY & TRENHOLM,  
Commission and Forwarding Merchants,  
NEWBERRY COURT HOUSE, S. C.  
THE UNDERSIGNED HAVE FORMED A PARTNERSHIP for the purpose of conducting a GENERAL COMMISSION AND FORWARDING BUSINESS, at Newberry, S. C. (the present available terminus of the Greenville Railroad). Consignments of Merchandise for all Depots on the Greenville Railroad and its Branches, and orders for the purchase and shipment of Cotton, &c., solicited.  
Our covered Wagons, for the present, leave Newberry Depot on the 1st, 10th and 20th, Orangeburg on the 6th, 16th and 25th of each month, in charge of a trustworthy wagon-master.  
WM. A. COURTENAY,  
P. C. TRENHOLM.  
September 11 mth5

WM. M. LAWTON & CO.,  
Win. M. Lawton, Sr. Winborn Lawton.  
Factors and Commission Agents,  
WILL RESUME BUSINESS IN THIS CITY, OCTOBER 1st. An extensive connection in South Carolina, Georgia and Florida, and long experience in the COTTON and RICE trade, they trust will give them a share of patronage.  
PLANTATIONS, HOUSES and LOTS, BONDS, STOCKS and other securities, will be bought and sold on commission.  
Consignments of Produce will be shipped to New York or a Foreign Market, when desired by the owners.  
No. 9 BROAD-STREET.  
September 18 18 21 25 28 30 oct\*

R. E. SCREVEN.....Douglas Nisbet.  
SCREVEN & NISBET,  
PRODUCE BROKERS,  
WILL ATTEND TO THE PURCHASE OF  
COTTON, RICE, NAVAL STORES, &c.  
And Sample, Class, Mark and Ship the same.  
OFFICE, FOR THE PRESENT,  
No. 68 Broad-st., up stairs,  
NEXT TO THE CHARLESTON LIBRARY BUILDING,  
(The present Custom House.)  
September 25 mth

JAS. B. CAHILL,  
GENERAL  
COMMISSION MERCHANT,  
AND DEALER IN  
Groceries, Provisions, Wines & Liquors,  
No. 171 Broad-street,  
AUGUSTA, GEORGIA.  
CONSIGNMENTS SOLICITED.  
September 1 3mo5

R. M. MARSHALL,  
BROKER, AUCTIONEER,  
AND  
GENERAL COMMISSION AGENT,  
HAS RESUMED BUSINESS AT HIS OLD STAND, AND SELLING OF REAL ESTATE, FURNITURE, &c., &c. Also to the RENTING OF HOUSES.  
September 6

J. M. EASON,  
COMMISSION AGENT,  
No. 9 EXCHANGE-STREET,  
CHARLESTON, S. C.  
September 8 1mo

BOWERS & SILCOX,  
Brokers, Auctioneers,  
AND  
GENERAL COMMISSION MERCHANTS,  
WILL ATTEND TO THE PURCHASE AND SALE OF COTTON, RICE, DRY GOODS AND GROCERIES. Also, their attention will be given to SALES OF FURNITURE, REAL ESTATE, &c.  
Office for the present, at No. 238 KING-STREET.  
August 30 1mo

ZIMMERMAN DAVIS,  
(LATE OF THE FIRM OF ADAMS, FROST & CO.)  
Has resumed the  
FACTORY & COMMISSION BUSINESS,  
OFFICE FOR THE PRESENT  
Cor. Accommodation Wharf and East Bay.  
Will attend to the sale of COTTON, RICE, or any other PRODUCE, in this or any foreign market. Also, to the PURCHASE AND SHIPPING OF COTTON. Will also RECEIVE AND FORWARD GOODS.  
September 9 1mo\*

TROUT & AMSBURY,  
T. B. Trout.....Oliver Amsbury.  
DEALERS IN LIME AND BUILDING MATERIALS GENERALLY. Also, HAY AND PRODUCE. CONSIGNMENTS OF VESSELS AND MERCHANDISE are respectfully solicited, and the utmost attention paid to all business entrusted to our care. Office at No. 20 CUMBERLAND, NEAR CHURCH-STREET.  
September 16 1mo

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ADVERTISING AGENCY.  
ADVERTISEMENTS RECEIVED ON THE MOST reasonable terms for the LEADING NEWSPAPERS in the South. Specimen copies can be seen by applying to  
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PHILIP H. KEGLER,  
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WILL REMOVE ON THE FIRST OCTOBER TO  
N. E. CORNER KING AND HASEL-STRS.  
ENTRANCE ON HASEL-STREET.  
GOLD, SILVER, SOUTHERN BANK BILLS AND EXCHANGE, BOUGHT AND SOLD ON THE MOST LIBERAL TERMS.  
September 27

CHAS. L. GUILLEAUME,  
GENERAL COMMISSION  
AND  
Forwarding Merchant,  
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Liberal Advances made on Consignments.  
September 27 1mo

STYLES & CARTER,  
SHIPPING AND  
COMMISSION MERCHANTS,  
AGENTS FOR  
Orleans Line of Southern Packets,  
No. 19 Vanderhorst Wharf,  
L. C. STYLES,  
T. F. CARTER,  
CHARLESTON, S. C.  
WM. H. ROBSON & CO., AGENTS IN NEW YORK.  
Advances made on consignments.  
September 4 1mo

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REAL ESTATE BROKER,  
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CHARLESTON, S. C.  
AGENT FOR THE PURCHASE AND SALE OF REAL ESTATE in any of the Southern States; ALSO AGENT FOR THE SALE, RENTING, REPAIRING, &c., OF CITY PROPERTY.  
August 22

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1mo September 25

HERIOT BROTHERS,  
General Commission Merchants,  
CHARLESTON, S. C.,  
Will give their attention to the purchase and sale of Merchandise and Produce of every description. CONSIGNMENTS OF COTTON SOLICITED.  
J. R. HERIOT, Jr. B. M. HERIOT.  
REFERENCES:  
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HARRISON HULL & CO., New York.  
DEMAREST & WYANT, New York.  
JNO. SLEIGHT, Poughkeepsie, N. Y.  
September 1 1mo

HOWE, DOUCIN & CO.,  
Commission Merchants  
Ship Chandlers and Grocers,  
No. 151 EAST BAY, CHARLESTON, S. C.  
C. HOWE, JR. P. M. DOUCIN.....E. C. HOWE.  
C. & E. HOWE,  
Commission Merchants,  
No. 71 BROADWAY, NEW YORK.  
C. HOWE, JR. E. C. HOWE.  
Consignments solicited. Prompt attention given to sales of Merchandise. Produce purchased on Commission, and liberal advances made.  
Refer by permission to Messrs. HENRY SWIFT & Co., No. 115 Broadway; JNO. M. SMITH'S SON & Co., No. 122 Broadway; KEMP, DAY & Co., No. 116 Wall-st.; THOMAS & BENHAM, No. 108 Broad-st., N. Y. 6mo\* August 24

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SHIP & STEAMBOAT AGENTS,  
AND  
COMMISSION MERCHANTS,  
Nos. 126 AND 128 MEETING-STREET,  
Charleston, S. C.  
LIBERAL ADVANCES MADE ON CONSIGNMENTS.  
August 15

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FACTORS, COMMISSION MERCHANTS,  
AND  
SHIPPING AGENTS,  
OFFICE, MILLS HOUSE,  
CHARLESTON, S. C.  
E. WILLIS.....A. R. CHISOLM.  
WILL ATTEND TO THE PURCHASE, SALE AND SHIPMENT to Foreign and Domestic Ports of COTTON, RICE, LUMBER, NAVAL STORES; to the Collection of Drafts, Purchase and Sale of all Securities. Consignments of vessels solicited.  
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Messrs. GEO. W. WILLIAMS & CO., Charleston, S. C.  
Messrs. PENDERGAST, BROS. & CO., New York.  
GEO. SCHLEY, Esq., Augusta, Ga.  
T. S. METCALF, Esq., Augusta, Ga.  
Messrs. CLARK, DODGE & CO., New York.  
Messrs. MURRAY & NEPHEW, New York.  
Messrs. E. W. CLARK & CO., Philadelphia, Penn.  
Messrs. PENDERGAST, FENWICK & CO., Baltimore, Md.  
Messrs. SAM'L HARRIS & SONS, Baltimore, Md.  
The Columbia Phoenix will publish every other day for one month, and other South Carolina papers weekly for the same period of time, and send us to this office.  
August 14

E. B. STODDARD & CO.,  
WHOLESALE DEALERS IN  
BOOTS, SHOES AND TRUNKS,  
AT THEIR OLD STAND,  
No. 165 Meeting-Street,  
CHARLESTON, S. C.  
TAKE PLEASURE IN ANNOUNCING THEIR RESUMPTION of business, and invite the attention of purchasers to their Stock, which is now complete.  
September 26

PHILIP H. KEGLER,  
Banker and Collection Agent,  
No. 255 King-street,  
CHARLESTON, S. C.  
September 2